- 1 Introduced by Senate Committee on Education
- 2 Referred to Committee on
- 3 Date:
- 4 Subject: Education; miscellaneous
- 5 Statement of purpose of bill as introduced: This bill proposes to make
- 6 miscellaneous changes in education laws.

| 7 | An act relating to making miscellaneous changes in education laws |
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| 8 | It is hereby enacted by the General Assembly of the State of Vermont: |
| 9 | * * * Libraries in Vermont * * * |
| 10 | Sec. 1. WORKING GROUP ON THE STATUS OF LIBRARIES IN |
| 11 | VERMONT; REPORT |
| 12 | (a) Creation. There is created the Working Group on the Status of |
| 13 | Libraries in Vermont to study and report on the statewide status of Vermont's |
| 14 | libraries. The Working Group is formed with the intent of strengthening and |
| 15 | supporting libraries of all sizes and improving library services for the public. |
| 16 | (b) Membership. The Working Group shall be composed of the following |
| 17 | members: |
| 18 | (1) the State Librarian; |
| 19 | (2) the President of the Vermont Library Association or designee; |
| | |

| 1 | (3) the Executive Director of the Vermont Humanities Council or |
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| 2 | designee; |
| 3 | (4) three representatives of public libraries, who shall be from libraries |
| 4 | of different sizes and from different regions of the State, appointed by the State |
| 5 | Librarian; |
| 6 | (5) two representatives of public school libraries, who shall be from |
| 7 | schools of different sizes and from different regions of the State, appointed by |
| 8 | the Secretary of Education; |
| 9 | (6) two representatives of college and university libraries, appointed by |
| 10 | the President of the College and Special Libraries Section of the Vermont |
| 11 | Library Association; and |
| 12 | (7) one public library trustee, appointed by the President of the Friends |
| 13 | and Trustees Section of the Vermont Library Association. |
| 14 | (c) Powers and Duties. The Working Group shall study: |
| 15 | (1) library services for specific segments of the Vermont population, |
| 16 | including senior citizens, individuals with disabilities, youths and children, |
| 17 | immigrant and migrant communities, and people living in poverty; |
| 18 | (2) the role that libraries play in emergency preparedness, cultural |
| 19 | diversity and inclusion, public health and safety, community identity and |
| 20 | resiliency, economic development, and access to public programs and services; |

| 1 | (3) the impact of the COVID-19 pandemic on library operations and |
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| 2 | services; and |
| 3 | (4) the current overall status of Vermont libraries, which may include |
| 4 | information related to programming, collections, facilities, technology, and |
| 5 | staffing. |
| 6 | (A) Programming. The Working Group may study the types and |
| 7 | frequency of library programs, attendance at library programs, and whether |
| 8 | library programs are meeting community needs. The study of programming |
| 9 | may include an assessment of public engagement and outreach surrounding |
| 10 | library programming as well as the opportunities for nonlibrary programs and |
| 11 | groups to access Vermont libraries. |
| 12 | (B) Collections. The Working Group may study the size and |
| 13 | diversity of library holdings and assess the strengths and gaps in materials |
| 14 | available to Vermonters. The study of collections may include an assessment |
| 15 | of how libraries may best share resources across differing libraries and |
| 16 | communities, whether libraries offer community-specific resources, and |
| 17 | whether libraries maintain special collections or historical artifacts. |
| 18 | (C) Facilities. The Working Group may study whether library |
| 19 | facilities and buildings could be improved with regard to energy efficiency, |
| 20 | accessibility, flexibility, human health and safety, historic preservation, and |
| 21 | intergenerational needs. |

| 1 | (D) Technology. The Working Group may study whether Vermont |
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| 2 | libraries have sufficient access to basic technological resources, cyber-security |
| 3 | resources, high-speed Internet, electronic catalogs, interlibrary loan and other |
| 4 | interoperable systems, and appropriate hardware and software. |
| 5 | (E) Staff. The Working Group may study staffing levels at Vermont |
| 6 | libraries, whether staffing levels are sufficient to meet community needs, |
| 7 | whether library staff compensation and benefits are sufficient, how libraries |
| 8 | rely on volunteers, and what resources are available for workforce |
| 9 | development and training of library staff. |
| 10 | (d) Public Input. As part of the study and report, the Working Group shall |
| 11 | solicit feedback from the general public and library users around the State. |
| 12 | The Working Group may examine models for library management and |
| 13 | organization in other states, including the formation of statewide service |
| 14 | networks. |
| 15 | (e) Data to be used. The data used in the analysis of library services and |
| 16 | operations may be from 2019, prior to the COVID-19 pandemic. Post- |
| 17 | pandemic data may also be used to assess the status of library services and |
| 18 | operations. |
| 19 | (f) Consultation with the Board of Libraries. The Working Group may |
| 20 | solicit feedback from the Board of Libraries. |

| 1 | (g) Assistance. The Working Group shall have the administrative, |
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| 2 | technical, and legal assistance of the Department of Libraries. |
| 3 | (h) Report. On or before November 1, 2023, the Working Group shall |
| 4 | submit a report to the House and Senate Committees on Education. The report |
| 5 | shall contain: |
| 6 | (1) specific and detailed findings and proposals concerning the issues set |
| 7 | forth in subsection (c) of this section; |
| 8 | (2) recommendations for updating the statutes, rules, standards, and the |
| 9 | governance structures of Vermont libraries to ensure equitable access for |
| 10 | Vermont residents, efficient use of resources, and quality in the provision of |
| 11 | services; |
| 12 | (3) recommendations related to the funding needs of Vermont libraries, |
| 13 | including capital, ongoing, and special funding; and |
| 14 | (4) any other information or recommendations that the Working Group |
| 15 | may deem necessary. |
| 16 | (i) Meetings. |
| 17 | (1) The State Librarian shall be the Chair of the Working Group. |
| 18 | (2) The Chair shall call the first meeting of the Working Group to occur |
| 19 | within 45 days after the effective date of this act. |
| 20 | (3) A majority of the membership shall constitute a quorum. |
| 21 | (4) The Working Group shall cease to exist on December 1, 2023. |
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| 1 | (j) Compensation and reimbursement. Members of the Working Group |
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| 2 | shall be entitled to per diem compensation and reimbursement of expenses as |
| 3 | permitted under 32 V.S.A. § 1010 for not more than 12 meetings. These |
| 4 | payments shall be made from monies appropriated to the Department of |
| 5 | Libraries. |
| 6 | (k) Appropriation. The sum of \$4,000.00 is appropriated to Department of |
| 7 | Libraries from the General Fund in fiscal year 2022 for per diem compensation |
| 8 | and reimbursement of expenses for members of the Working Group. |
| 9 | Sec. 2. 3 V.S.A. § 260 is amended to read: |
| 10 | § 260. LOCATION OF OFFICES |
| 11 | * * * |
| 12 | (c) The principal office of each of the following boards and divisions shall |
| 13 | be located in Montpelier: Division for Historic Preservation and Board of |
| 14 | Libraries. [Repealed.] |
| 15 | * * * |
| 16 | Sec. 3. 12 V.S.A. § 1699 is amended to read: |
| 17 | § 1699. FOREIGN LAWS AND DECISIONS; DETERMINATION BY |
| 18 | COURT |
| 19 | The statutes, laws, and decisions of another state may be evidenced, prima |
| 20 | facie, in the courts of this State by a printed copy thereof, which purports to be |
| 21 | published by the authority of such the other state, or which is kept in the State |
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| 1 | Library at Montpelier. The determination of such the laws shall be made by |
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| 2 | the court and not by the jury, and shall be reviewable. |
| 3 | Sec. 4. 16 V.S.A. § 212 is amended to read: |
| 4 | § 212. SECRETARY'S DUTIES GENERALLY |
| 5 | The Secretary shall execute those policies adopted by the State Board in the |
| 6 | legal exercise of its powers and shall: |
| 7 | * * * |
| 8 | (7) Arrange conferences and summer schools for superintendents and |
| 9 | teachers and employ suitable speakers, lecturers, and instructors for the same; |
| 10 | fix the amount of tuition for the instruction; provide for educational gatherings, |
| 11 | institutes, summer schools, and other supplementary educational activities; and |
| 12 | provide for cooperation with the Board of Libraries established by 22 V.S.A. |
| 13 | § 602 or the State Librarian. |
| 14 | * * * |
| 15 | Sec. 5. 22 V.S.A. § 605 is amended to read: |
| 16 | § 605. DUTIES AND FUNCTIONS OF THE DEPARTMENT OF |
| 17 | LIBRARIES |
| 18 | The duties and functions of the Department of Libraries shall be to provide, |
| 19 | administer, and maintain: |
| 20 | * * * |

| 1 | (2) A collection of State documents and of documents relating to other |
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| 2 | states and local and federal governments documents. It shall arrange for and |
| 3 | designate depositories of State documents which designation is to include |
| 4 | Bailey Howe Library at the University of Vermont. The Department may |
| 5 | acquire reports and documents published by federal agencies and by other |
| 6 | states and countries, and may arrange for the exchange of official reports and |
| 7 | publications with federal agencies, and with governmental agencies in other |
| 8 | states and countries. |
| 9 | * * * |
| 10 | (4) A general library collection of a sufficient size and scope to |
| 11 | reinforce and supplement the resources of local and regional libraries. All |
| 12 | materials of the Department of Libraries shall be available for free circulation |
| 13 | to all citizens, institutions, and organizations under regulations of the State |
| 14 | Librarian except that the State Librarian may restrict rare or reference-type |
| 15 | materials to one location. The Department shall arrange, classify, and catalog |
| 16 | all materials in its custody and provide for their safekeeping and shall rebind |
| 17 | books as needed. The Department shall provide service to other libraries in the |
| 18 | State, schools, and individuals and may provide service by mail or book wagon |
| 19 | or otherwise. |
| 20 | * * * |

21 Sec. 6. 29 V.S.A. § 1108 is amended to read:

| 1 | § 1108. ACCEPTANCE OR REJECTION OF BIDS; CONDITIONS OF |
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| 2 | CONTRACTS |
| 3 | The Commissioner of Buildings and General Services may require |
| 4 | satisfactory bonds from bidders and contractors, and shall specify in each |
| 5 | contract for printing that, in case the matter contracted for is not delivered to |
| 6 | the State Librarian or in accordance with his or her written order to such other |
| 7 | person as may be specified in the contract, on or before the date specified in |
| 8 | the contract for such delivery, \$25.00 of the contract price shall be deducted |
| 9 | for every day such delivery is delayed, and, in case the delay exceeds 10 days, |
| 10 | there shall be deducted in addition to the above amount \$10.00 for each day's |
| 11 | delay over 10 days; and he or she shall also specify in each contract that all |
| 12 | public documents and printed matter shall be delivered to the State Librarian at |
| 13 | the State Library unless otherwise directed in writing by him or her or the State |
| 14 | Librarian. The provisions of this section and section 1107 of this title relating |
| 15 | to advertising and bids shall not apply to a contract for printing where the |
| 16 | amount of the contract does not exceed \$50.00. |
| 17 | * * * |
| 18 | Sec. 7. REPEALS |
| 19 | The following are repealed: |
| 20 | (1) 4 V.S.A. § 16 (briefs and other papers kept in State Library); |
| 21 | (2) 29 V.S.A. § 1156 (distribution of documents by State Librarian); and |
| | VT LEG #353028 v 1 |

| 1 | (3) 29 V.S.A. § 1161 (distribution of documents to schools). |
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| 2 | * * * Cultural liaisons * * * |
| 3 | Sec. 8. 16 V.S.A. § 4029 is amended to read: |
| 4 | § 4029. USE OF FUNDS FOR EDUCATION |
| 5 | (a) Funds received by a school district may be used only for legitimate |
| 6 | items of current education expense and shall not be used for municipal |
| 7 | services. |
| 8 | (b) Funds received by a municipality other than a school district may not be |
| 9 | used directly or indirectly for education expenses. |
| 10 | * * * |
| 11 | (g) Notwithstanding anything to the contrary in this section or otherwise in |
| 12 | law, a school district and the town or city municipality or municipalities in |
| 13 | which the school district operates may jointly fund the services of one or more |
| 14 | cultural liaisons to support students and families who have limited English |
| 15 | proficiency (LEP). A cultural liaison provides language translation and |
| 16 | interpretation services to help facilitate educational and municipal services for |
| 17 | LEP students and families; facilitates communication among school and |
| 18 | municipal staff, LEP students and families, and community organizations; and |
| 19 | assists in reconciling differing cultural perspectives and understandings. |
| 20 | |
| 21 | |

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| 1 | * * * Wellness program * * * |
| 2 | Sec. 9. 16 V.S.A. § 136 is amended to read: |
| 3 | § 136. WELLNESS PROGRAM; ADVISORY COUNCIL ON WELLNESS |
| 4 | AND COMPREHENSIVE HEALTH |
| 5 | (a) As used in this section: |
| 6 | * * * |
| 7 | (5) "Wellness program" means a program that includes <u>physical</u> fitness |
| 8 | and nutrition comprehensive health education as defined in section 131 of this |
| 9 | <u>title</u> . |
| 10 | (b) The Secretary with the approval of the State Board shall establish an |
| 11 | Advisory Council on Wellness and Comprehensive Health that shall include at |
| 12 | least three members associated with the health services field with expertise in |
| 13 | health services, health education, or health policy. The members shall serve |
| 14 | without compensation but shall receive their actual expenses incurred in |
| 15 | connection with their duties relating to wellness and comprehensive health |
| 16 | programs. The Council shall assist the Agency to plan, coordinate, and |
| 17 | encourage wellness and comprehensive health programs in the public schools |
| 18 | and shall meet not less than twice a year. |
| 19 | (c) The Secretary shall collaborate with other agencies and councils |
| 20 | working on childhood wellness to: |

| 1 | (1) Supervise the preparation of appropriate nutrition and fitness |
|--|--|
| 2 | wellness program curricula for use in the public schools, promote programs for |
| 3 | the preparation of teachers to teach these curricula, and assist in the |
| 4 | development of wellness programs. |
| 5 | * * * |
| 6 | (5) Create a process for schools to share with the Department of Health |
| 7 | any data collected about the height and weight of students in kindergarten |
| 8 | through grade six. The Commissioner of Health may report any data compiled |
| 9 | under this subdivision on a countywide basis. Any reporting of data must |
| 10 | protect the privacy of individual students and the identity of participating |
| 11 | schools. |
| | |
| 12 | * * * |
| 12 13 | * * * Sec. 10. SCHOOL WELLNESS POLICY |
| | |
| 13 | Sec. 10. SCHOOL WELLNESS POLICY |
| 13 14 | Sec. 10. SCHOOL WELLNESS POLICY On or before January 15, 2022, the Agency of Education, in collaboration |
| 13 14 15 | Sec. 10. SCHOOL WELLNESS POLICY On or before January 15, 2022, the Agency of Education, in collaboration with the Advisory Council on Wellness and Comprehensive Health created |
| 13 14 15 16 | Sec. 10. SCHOOL WELLNESS POLICY On or before January 15, 2022, the Agency of Education, in collaboration with the Advisory Council on Wellness and Comprehensive Health created under 16 V.S.A. § 136, shall update and distribute to school districts a model |
| 13 14 15 16 17 | Sec. 10. SCHOOL WELLNESS POLICY <u>On or before January 15, 2022, the Agency of Education, in collaboration</u> <u>with the Advisory Council on Wellness and Comprehensive Health created</u> <u>under 16 V.S.A. § 136, shall update and distribute to school districts a model</u> <u>wellness program policy, using the expanded definition of "wellness program"</u> |
| 13 14 15 16 17 18 | Sec. 10. SCHOOL WELLNESS POLICY <u>On or before January 15, 2022, the Agency of Education, in collaboration</u> with the Advisory Council on Wellness and Comprehensive Health created <u>under 16 V.S.A. § 136, shall update and distribute to school districts a model</u> wellness program policy, using the expanded definition of "wellness program" <u>under 16 V.S.A. § 136, as amended by this act, that shall:</u> |
| 13 14 15 16 17 18 19 | Sec. 10. SCHOOL WELLNESS POLICY <u>On or before January 15, 2022, the Agency of Education, in collaboration</u> with the Advisory Council on Wellness and Comprehensive Health created <u>under 16 V.S.A. § 136, shall update and distribute to school districts a model</u> wellness program policy, using the expanded definition of "wellness program" <u>under 16 V.S.A. § 136, as amended by this act, that shall:</u> (1) be in compliance with all relevant State and federal laws; and |

| 1 | Disease Control and Prevention's Whole School, Whole Community, Whole |
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| 2 | Child Model. |
| 3 | * * * Menstrual hygiene products * * * |
| 4 | Sec. 11. 16 V.S.A. § 1432 is added to read: |
| 5 | <u>§ 1432. MENSTRUAL HYGIENE PRODUCTS</u> |
| 6 | (a) By enacting this statute, the General Assembly intends to ensure that all |
| 7 | students attending a public school or an approved independent school have |
| 8 | access to menstrual hygiene products at no cost and without the embarrassment |
| 9 | of having to request them. |
| 10 | (b)(1) A school district and an approved independent school shall make |
| 11 | menstrual hygiene products available at no cost for each school within the |
| 12 | district or under the jurisdiction of the board of the independent school in: |
| 13 | (A) a majority of gender-neutral bathrooms and bathrooms |
| 14 | designated for females that are generally used by females in any of grades five |
| 15 | through 12; and |
| 16 | (B) the school nurse's office. |
| 17 | (2) The school district or independent school, in consultation with the |
| 18 | school nurse who provides services to the school, shall determine which of the |
| 19 | gender-neutral bathrooms and bathrooms designated for females to stock with |
| 20 | menstrual hygiene products and which brands to use. |

| (dr req 21-0929 – draft 1.1) | |
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| 1 | (c) School districts and approved independent schools shall bear the cost of |
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| 2 | supplying menstrual hygiene products and may seek grants or partner with a |
| 3 | nonprofit or community-based organization to fulfill this obligation. |
| 4 | * * * Effective Date * * * |
| 5 | Sec. 12. EFFECTIVE DATE |
| 6 | This act shall take effect on passage, except that school districts and |
| 7 | approved independent schools shall comply with the requirements of Sec. 11 |
| 8 | of this act for the 2022–2023 school year and thereafter. |